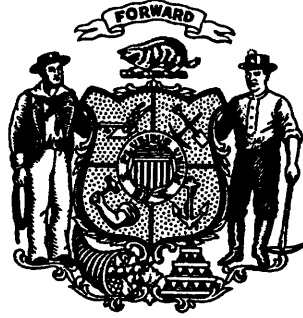


State of Wisconsin



2003 Assembly Bill 261

Date of enactment:
Date of publication*:

2003 WISCONSIN ACT

AN ACT to amend 118.40 (2r) (c) 1. and 121.54 (2) (c); and to repeal and recreate 118.40 (2r) (c) 2. of the statutes; relating to: charter schools located in a 1st class city school district.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 118.40 (2r) (c) 1. of the statutes is amended to read:

118.40 (2r) (c) 1. Only Except as provided in subd. 2., only pupils who reside in the school district in which a charter school established under this subsection is located may attend the charter school.

SECTION 2. 118.40 (2r) (c) 2. of the statutes is repealed and recreated to read:

118.40 (2r) (c) 2. A pupil who resides outside the school district operating under ch. 119 may attend a charter school established under this subsection in the school district operating under ch. 119, but the charter school shall give preference in admissions to pupils who reside in the school district operating under ch. 119.

SECTION 3. 121.54 (2) (c) of the statutes is amended to read:

121.54 (2) (c) An annual or special meeting of a common or union high school district, ~~or the school board of a unified school district, or the board of school directors in charge of the school district operating under ch. 119,~~ may elect to provide transportation for pupils who are not required to be transported under this section, including pupils attending public school under s. 118.145 (4). Transportation may be provided for all or some of the pupils who reside in the school district to and from the public school they are entitled to attend; ~~the charter school that they attend;~~ or the private school, within or outside the school district, within whose attendance area they reside. If transportation is provided for less than all such pupils there shall be reasonable uniformity in the minimum distance that pupils attending public, charter, and private schools will be transported. Except for elementary school districts electing to furnish transportation under par. (b) 2., this paragraph does not permit a school district operating only elementary grades to provide transportation for pupils attending private schools.

* Section 991.11, WISCONSIN STATUTES 2001-02 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

BILL HISTORY FOR ASSEMBLY BILL 261 (LRB -2408)

An Act to amend 118.40 (2r) (c) 1. and 121.54 (2) (c); and to repeal and recreate 118.40 (2r) (c) 2. of the statutes; relating to: charter schools located in a 1st class city school district. (FE)

2003

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| 04-15. A. | Introduced by Representatives Jensen, Ziegelbauer, Vukmir, Grothman, Nischke, Towns, Krawczyk, Nass, LeMahieu, McCormick, Owens, J. Wood and Gielow; cosponsored by Senators Darling, Welch, Kanavas, Roessler and Lazich. | |
| 04-15. A. | Read first time and referred to committee on Education Reform | 155 |
| 04-22. A. | Fiscal estimate received. | |
| 04-22. A. | Fiscal estimate received. | |
| 04-22. A. | Fiscal estimate received. | |
| 04-23. A. | Public hearing held. | |
| 04-25. A. | Fiscal estimate received. | |
| 08-26. A. | Fiscal estimate received. | |
| 09-24. A. | Executive action taken. | |
| 09-25. A. | Report passage recommended by committee on Education Reform, Ayes 9, Noes 4 ... | 381 |
| 09-25. A. | Referred to committee on Rules | 381 |
| 09-25. A. | Made a special order of business at 9:03 A.M. on 10-1-2003 pursuant to Assembly Resolution 25 | 384 |
| 10-01. A. | Read a second time | 402 |
| 10-01. A. | Assembly amendment 1 offered by Representative Jensen (LRB a1025) | 402 |
| 10-01. A. | Assembly amendment 1 withdrawn and returned to author | 402 |
| 10-01. A. | Ordered to a third reading | 402 |
| 10-01. A. | Rules suspended | 402 |
| 10-01. A. | Refused to refer to joint committee on Finance, Ayes 39, Noes 59 | 402 |
| 10-01. A. | Passed, Ayes 63, Noes 35 | 403 |
| 10-01. A. | Ordered immediately messaged | 403 |
| 10-02. S. | Received from Assembly | 403 |
| 10-02. S. | Read first time and referred to joint committee on Finance | 403 |
| 10-15. S. | Executive action taken. | |
| 10-16. S. | Report concurrence recommended by joint committee on Finance, Ayes 12, Noes 4 ... | 414 |
| 10-16. S. | Available for scheduling. | |
| 10-21. S. | Placed on calendar 10-22-2003 by committee on Senate Organization. | |
| 10-22. S. | Senate substitute amendment 1 offered by Senators Carpenter and Moore (LRB s0225) ... | 431 |
| 10-22. S. | Senate amendment 1 offered by Senator Moore (LRB a1397) | 431 |
| 10-23. S. | Read a second time | 433 |
| 10-23. S. | Placed after Assembly Bill 232 on the calendar of 10-23-2003 | 433 |
| 10-23. S. | Senate substitute amendment 1 rejected, Ayes 18, Noes 14 | 434 |
| 10-23. S. | Senate amendment 1 adopted | 434 |
| 10-23. S. | Ordered to a third reading | 434 |
| 10-23. S. | Refused to suspend the rules, Ayes 18, Noes 14 | 434 |
| 10-23. S. | Vote by which Senate refused to suspend the rules, reconsidered | 444 |
| 10-23. S. | Rules suspended | 444 |
| 10-23. S. | Read a third time and concurred in as amended, Ayes 18, Noes 14 | 444 |
| 10-23. S. | Ordered immediately messaged | 445 |
| 10-29. A. | Received from Senate amended and concurred in as amended (Senate amendment 1 adopted) | 469 |
| 10-29. A. | Referred to committee on Rules | 470 |

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|---|-----|
| 11-04. A. Rules suspended to withdraw from committee on Rules and take up | 479 |
| 11-04. A. Senate amendment 1 concurred in | 479 |
| 11-04. A. Action ordered immediately messaged | 479 |

2003
ENROLLED BILL

261
03en A B-261

ADOPTED DOCUMENTS:

☒ Orig ☐ Engr SubAmtdt

03-24081

Amendments to above (if none, write "NONE"): SA 1

Corrections - show date (if none, write "NONE"): None

Topic

Charter schools located in
a 1st class city school district

11/05/03
Date

[Signature]
Enrolling Drafter

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2003 ASSEMBLY BILL 261

April 15, 2003 – Introduced by Representatives JENSEN, ZIEGELBAUER, VUKMIR, GROTHMAN, NISCHKE, TOWNS, KRAWCZYK, NASS, LEMAHIEU, MCCORMICK, OWENS, J. WOOD and GIELOW, cosponsored by Senators DARLING, WELCH, KANAVAS, ROESSLER and LAZICH. Referred to Committee on Education Reform.

- 1 **AN ACT** *to amend* 118.40 (2r) (c) 1. and 121.54 (2) (c); and *to repeal and recreate*
2 118.40 (2r) (c) 2. of the statutes; **relating to:** charter schools located in a 1st
3 class city school district.

Analysis by the Legislative Reference Bureau

Under current law, school boards may enter into contracts with individuals, groups, businesses, or governmental bodies to establish charter schools, which operate with fewer constraints than traditional public schools. Current law also permits the University of Wisconsin–Milwaukee, the University of Wisconsin–Parkside, the Milwaukee Area Technical College, and the city of Milwaukee to operate charter schools (independent charter schools) directly or to contract for the operation of charter schools. Only pupils who reside in the school district in which an independent charter school is located may attend the charter school.

This bill allows a pupil who resides outside the Milwaukee school district to attend an independent charter school located in the Milwaukee school district. The bill also explicitly authorizes a school board to transport pupils to and from a charter school. If a school board elects to do so, it receives state transportation aid.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

ASSEMBLY BILL 261

SECTION 1. 118.40 (2r) (c) 1. of the statutes is amended to read:

118.40 (2r) (c) 1. ~~Only~~ Except as provided in subd. 2., only pupils who reside in the school district in which a charter school established under this subsection is located may attend the charter school.

SECTION 2. 118.40 (2r) (c) 2. of the statutes is repealed and recreated to read:

118.40 (2r) (c) 2. A pupil who resides outside the school district operating under ch. 119 may attend a charter school established under this subsection in the school district operating under ch. 119.

SECTION 3. 121.54 (2) (c) of the statutes is amended to read:

121.54 (2) (c) An annual or special meeting of a common or union high school district, ~~or the school board of a unified school district,~~ or the board of school directors in charge of the school district operating under ch. 119, may elect to provide transportation for pupils who are not required to be transported under this section, including pupils attending public school under s. 118.145 (4). Transportation may be provided for all or some of the pupils who reside in the school district to and from the public school they are entitled to attend; the charter school that they attend; or the private school, within or outside the school district, within whose attendance area they reside. If transportation is provided for less than all such pupils there shall be reasonable uniformity in the minimum distance that pupils attending public, charter, and private schools will be transported. Except for elementary school districts electing to furnish transportation under par. (b) 2., this paragraph does not permit a school district operating only elementary grades to provide transportation for pupils attending private schools.

(END)

**SENATE AMENDMENT 1,
TO 2003 ASSEMBLY BILL 261**

October 22, 2003 – Offered by Senator MOORE.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 8: after “119” insert “, but the charter school shall give
3 preference in admissions to pupils who reside in the school district operating under
4 ch. 119”.

5 (END)